



City of Miami Springs, Florida

The Miami Springs City Council held a **SPECIAL MEETING** in the Council Chambers at City Hall on Wednesday, July 8, 2009, at 7:00 p.m.

1. Call to Order/Roll Call

The meeting was called to order at 7:01 p.m.

The following were present:

- Mayor Billy Bain
- Vice Mayor Bob Best
- Councilman Daniel Espino*
- Councilman George V. Lob

Absent: Councilwoman Jennifer Ator

* Councilman Espino arrived at 7:02 p.m.

Also Present:

- City Manager James R. Borgmann
- Assistant City Manager Ronald K. Gorland
- City Attorney Jan K. Seiden
- Finance Director William Alonso
- Comptroller Alicia E. González
- Elderly Services Director Karen Rosson
- City Clerk Magalí Valls
- Deputy City Clerk Suzanne S. Hitaffer

2. Invocation: Vice Mayor Best offered the invocation.

Salute to the Flag: The audience participated.

3. Approval of the City Attorney's Invoice for June 2009 in the Amount of \$10,406.00

There was no discussion regarding this item.

Councilman Lob moved the item. Vice Mayor Best seconded the motion, which was carried 4-0 on voice vote.

4. Recommendation that Council Approve and Authorize the Selection of Greater Miami Caterers, Inc. for City of Miami Springs Bid No. 10-08/09

City Manager Borgmann stated that Greater Miami Caterers, Inc. had been the sole bidder for the last seven years. The congregate meals, home delivered weekday and weekend meals have each gone up a few pennies. The contract starts during this budget year and finishes mid-year during the next budget. He said that an effort would be made to change the contract schedule to begin October 1st if possible.

Attorney Seiden noticed from the memorandum that the vendor reduced their bid. Also, the primary funding source, the Older American Act Grants, is yet to be awarded for 2010. He would recommend approving the contract with the acknowledgment that partial funding would be derived from the grant, which is not yet awarded.

Elderly Services Director Karen Rosson clarified that the contract is for twelve months beginning August 1, 2009 through July 31, 2010, with an option to renew for two additional years. The Alliance for Aging has not asked for the RFP for next year's funding. There is a provision in the contract that it is subject to funding.

Councilman Espino moved the item. Vice Mayor Best seconded the motion, which carried 4-0 on roll call vote.

5. Utility Billing Cost Reduction Proposal *(Discussed after Item 8)*

City Manager Borgmann stated that former Finance Director Lee Robinson had made a presentation regarding an alternative billing method of placing the fee on the tax roll or the County's water bill in order to be able to create a savings on the billing process. Mr. Robinson's analysis indicated that the City would lose \$68,000 and Finance Director Alonso arrived at a different analysis showing a savings of \$1,600 annually.

Finance Director Alonso said that the savings would basically break even because \$1,600 is not a significant impact. He explained that the most important benefit is related to delinquent stormwater and sanitation accounts that total approximately \$140,000. The City has no recourse except to place liens on the properties, which does not help the cash flow.

In August 2007, the original plan was to place the stormwater fee on the water bill from the County and to place the sanitation fee on the tax bill, according to Mr. Alonso. This would eliminate two positions in the Finance Department and create additional savings.

Finance Director Alonso explained that the collection rate will improve because WASA can cut off service and the sanitation is guaranteed to be paid through taxes. He requested Council authorization to sign an agreement with the County to place the stormwater fee on the water bills. In order to place the sanitation fee on the tax bill, it requires the adoption of a resolution by January 1, 2010.

Mayor Bain would like to give further thought to adding the sanitation to the tax bill, which amounts to \$600.00 annually. He approves of placing the stormwater fee on the County water bill.

Vice Mayor Best moved to authorize the execution of an agreement with the County for the stormwater billing. Councilman Lob seconded the motion, which carried 4-0 on roll call.

City Attorney Seiden said that he would contact the Department of Environmental Resources Management (DERM) regarding the requirements for sanitation pick-up.

To answer the Mayor's question, City Manager Borgmann explained that every household is charged for sanitation service even if the house is not occupied.

6. Consideration of Entering into a Memorandum of Understanding with Miami-Dade County to Enforce the County Code Related to Multi-Family and Commercial Recycling

City Manager Borgmann stated that he was contacted by a representative from Miami-Dade County Solid Waste. The County Code dictates that commercial and multi-family establishments must have a recycling program. The City's recycling program is strictly for single-family residential under the County's contract. The County does not have a contract for this service.

City Manager Borgmann explained that the County asked if the City wants to enforce the ordinance, if the City wants the County to enforce the ordinance, or if the City wants to establish its own commercial recycling program. The City has been charging 144 properties that had been paying for recycling that had not been receiving the services since January and they were issued a credit. His recommendation is to let the County enforce their ordinance within the City.

Mayor Bain agreed with the City Manager's recommendation to let the County enforce the ordinance.

City Attorney Seiden stated that Council would have to adopt an ordinance authorizing the County to enforce the ordinance.

Vice Mayor Best moved to draft an ordinance allowing the County to enforce the ordinance. Councilman Lob seconded the motion, which carried 4-0 on roll call.

7. Public Hearings:

7A) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 113-04, Business Taxes-Schedule of Fees, by Providing a Five (5%) Percent Increase in the Cost of All City Business Taxes; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date.

Attorney Seiden stated that this is the second reading of the ordinance and there were no changes since the first reading. It is standard procedure to increase the business license fees every two years, which requires a 4/5 vote of Council, meaning that all four members present would have to vote in favor for it to pass.

Mayor Bain suggested tabling the ordinance until the next meeting when a full Council is present since he was opposed to increasing the fees.

By consensus, the item was tabled.

7B) Second Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 31.11, Purchasing, Procurement and Sale Procedures, by Increasing the Threshold Amount for Sealed Competitive Procurement by the City from \$10,000 to \$25,000; Providing for Revised Purchasing Delegation Authority in the City Manager; Confirming the Authority of the City Council for Approval of Procurements in Excess of \$10,000; Clarifying and Specifying the Alternative Competitive Selection Procedures of Requests for Proposals and Requests for Qualifications; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date (First Reading: 6/22/2009 – Advertised: 6/25/2009)

City Attorney Jan K. Seiden read the ordinance by title.

Attorney Seiden stated that the ordinance would raise the amount requiring sealed competitive bid selection to \$25,000. It also retains Council's authority to approve any purchases that the City Manager may secure by written quotation between the amounts of \$10,000 and \$25,000. The amendment specifically provides a section within the ordinance for Requests for Qualifications and other items were corrected as needed.

Mayor Bain opened the public hearing. There were no speakers and the public hearing was closed.

Councilman Espino moved to adopt the ordinance on second reading. Vice Mayor Best seconded the motion which carried 3-1 on roll call vote with Mayor Bain dissenting (Ordinance No. 978-2009).

City Attorney Seiden stated that he provided Council with a draft copy of a stand alone bid protest ordinance that will be placed on the next Council agenda. The ordinance will establish a procedure for bid review, protest and appeal.

8. Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing the Proper Officers and Officials of the City to File Applications for Grants from the Safe Neighborhood Parks Bond Program; Identifying Grant Projects and Amounts Being Requested; Specifying Compliance With Grant Agreements, County Ordinance Provisions, and Administrative Rules; Acknowledging and Agreeing to Identify and Provide Supplemental Funding for Grant Project Shortfalls; Confirming Accessibility to Grant Projects by All Citizens; Committing Funding for the Future Operation and Maintenance of Projects; Agreeing to Make No Substitution in City Capital Funding for Application Purposes; Effective Date

City Manager Borgmann stated that the City is applying for grants from the Safe Neighborhood Parks Bond issue and the resolution was placed on this agenda as it is a time sensitive issue. The bonds were first issued in 1997, and there is approximately \$6MM remaining from interest earnings. All cities are invited to apply for grants that are a 50/50 match.

City Attorney Seiden read the resolution by title.

City Manager Borgmann stated that the first priority is to acquire \$42,000 for the additional water line to service the Community Center, \$800,000 to complete the bike path lighting for Curtiss Parkway and North Royal Poinciana, \$306,000 for the Ludlam Drive bike path lighting Phases 1 and 2; and \$271,222 for the completion of Phase 1 of the Canal Street Linear Park. The Ludlam Drive project is the fourth priority because there could be a problem since the City does not own the property along the canal.

City Attorney Seiden stated that the resolution included certain provisions that are required by the County. The City is agreeing to abide by the terms of the County's standard grant agreements, the ordinance that authorized the Safe Neighborhood Park Bond Program and the administrative rules of the Citizen's Oversight Committee. The City also agrees that they will supplement projects if the grant monies are not sufficient and that the facilities are open to the entire public with no discrimination. In addition, the City agrees to commit funds to operate and maintain the facilities in future years and not change the priorities for capital outlays in a way that would make the grant monies more available.

City Manager Borgmann stated that even though the grants would be a 50/50 match, the County allows the City to use other grant funds that are already in place for these projects as the match.

Councilman Espino asked if the additional grant monies are guaranteed or if there is just a chance the funds will be available.

City Manager Borgmann clarified that the City has \$720,000 coming from the State for the completion of the lighting for Curtiss Parkway and North Royal Poinciana Boulevard, which was matched with \$80,000 from City funds. The same is applicable to the Canal Street Linear Park Project. He felt that the City would be very lucky to receive approval of the \$42,000 for the water line and this would be matched with \$42,000 from the Contingency Fund for the construction.

Vice Mayor Best asked if there was a time constraint for supplemental funding from the City, if needed.

City Attorney Seiden stated that the City must fund whatever is needed to complete the project within the time frame without delay.

City Manager Borgmann explained that the County wanted to close the fund. He urged the County to fund the total amount requested for the projects so that small cities would be able to complete them.

Vice Mayor Best moved to adopt the resolution. Councilman Lob seconded the motion, which carried 4-0 on roll call vote (Resolution No. 2009-3450).

9. Adjourn.

There being no further business to be discussed the meeting was adjourned at 7:32 p.m.

Billy Bain
Mayor

ATTEST:

Magalí Valls, CMC
City Clerk

Approved as written during meeting of: 8/10/2009

Transcription assistance provided by S. Hitaffer